Joint venture fishing policy

*412. SHRI SUBAS MOHANTY: Will the Minister of COMMERCE be pleased to state:

(a) whether Government propose to review the joint venture fishing policy in view of the various representations received in this regard; and

(b) if so, what steps are being taken to ensure that foreign companies and interes's do not penetrate into our fishing and marine industry?

THE MINISTER OF FINANCE AND THE MINISTER OF COMMERCE (SHRI NARAYAN DATT TIWARI) *(a) and (b) No, Sir. The terms and* conditions prescribed for joint ventures in deep sea fishing stipulate that vessels under joint ventures should operate only in deep areas beyond the range of operation of mechanised and non-mechanised boa's owned by small fishermen. These also stipulate:

(i) the foreign equity participation to be allowed upto 40 per cent,

(ii) phasing out of foreign experts assigned to such joint venture projects within five years,

(iii) atleast 50 per cent of the crew of the vessel under joint venture company should be Indian citizens and should be increased gradually so as to phase out foreign crew during joint venture period, and

(iv) undertaking should be given by the joint venture company that no oceanographic research, surveys or exploration etc. will be carried by them.

'Agastiya Malai' as Biosphere Reserve

*413. SHRI V. GOPALSAMY:
SHRI T. R. BALU:

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether there is any proposal under Government's consideration to declare 'Agastiya Malai' as a Biosphere Reserve;

(b) if not, what are the reasons therefor; and

(c) what steps are being taken to preserve the green fores's in Agastiya Malai?

THE MINISTER OF ENVIRONMENT AND FORESTS (SHRI BHAJAN LAL): (a) and (b) No, Sir. The concept of biosphere reserve is to conserve in situ genetic diversity in representative eco-systems. Agastiya Malai forms part of Malabar rain *forest eco-system. The Nilgiri Bios*phere Reserve which has alrady been set up represents this eco-system.

(c) Protection measures have been intensified. Central assistance is available for pro'ection of forests and wild life.

*414. [*Transferred to the 27th August*, 1987].

Amendment of Code of Criminal Procedure

*415. SHRI AJIT P. K. JOGI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have any proposal to make certain amendments in the Code of Criminal Procedure with a view to expediting the disposal of criminal cases by the courts;

(b) if so, what are the details thereof; and

(c) what other measures Government propose to take to ensure that cases do not remain pending for several years?

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH) (a) and (b) The Government contemplates making further amendments to the

Code of Criminal Procedure based on the decisions taken on the recommendations made by the Law Commission, Natural Police Commission and suggestion received from State Governments and others! the details of some of these which would have the effect of expenditing disposal of criminal cases are given in the Statement laid on the Table of the House. (*See* below).

(c)The Government have entrusted to the Law Commission the study of judicial system to introduce necessary reforms. The terms of reference *inter-alia* including the study of procedural laws with a view generally to disposing of the cases expenditiously and eliminating unnecessary litigation and delays in hearing of cases.

Statement

The Government contemplates the following further amendments to the Code of Criminal Procedure, 1973 based on the decisions taken on the recommendations made by the Law Commission the National Police Commission and suggestions received from State Governments and others, which would have the effect of expediting disposal of criminal cases:—

(1) Amendment of section 173 to insert a new sub-section to enable the police to take note of the desire of the parties to compound the offences enumerated in Table appended to section 320(2).

(2) Amendment of section 223 to extend the provisions thereof to the Court of Session providing that the Judge may direct joint trial of accused persons, even if they do not fall in the categories specified, if he is satisfied that such persons would not be prejudicially effected thereby.

(3) Amendment of section 228 to empower the sessions Judge to transfer the case either to the Chief Judicial Magistrate or to any other Judicial Magistrate of the First Class and to fix a date for the appearance of the accused.

(4) Amendment of setcion 260.

(i) to specify that in respect of offences mentioned in sub-section (1) thereof, summary trial should be mandatory; and

(ii) to provide that the offence of theft and other cognate offences may be tried summarily where the value of the property involved does not exceed two thousand rupees instead of two hundred rupees at pnesent.

(5) Insertion of new section 291A with a view to making memorandum of identification admissible in evidence without formal proof of facts stated therein.

(6) Amendment of section 296 to specify that the evidence of a witness to prove certain facts like the inquest and its report, entries in the general diary of a Police Station and other such facts be given by affidavit and read in evidence like any other evidence of a formal character and should form part of his examination-in-chief.

Allotment of shops to Aberdeen Bazar Fire Victims

*416. SHRI RAM NARESH KUSHAWAHA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that certain fire victims of 1974 Aberdeen Bazar fire in Andaman and Nicobar Islands are yet to be allotted alternative shops to carry on their business;

(b) what is the number of the fire victims who have since been allotted alternative shops and what are the reasons for the delay in the allotment of shops to the remaining persons; and

(c) what steps have been taken by Government to expedite allotment of shops to them to mitigate their hardships?